

PCT Rec'd 16 APR 2002

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

016800-473 #4

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/031,403

INTERNATIONAL APPLICATION NO.
PCT/FROO/01048INTERNATIONAL FILING DATE
20 APRIL 2000PRIORITY DATE CLAIMED
23 JULY 1999

TITLE OF INVENTION

ISOLATED PEPTIDE OF THE HORNY LAYER AND USE THEREOF

APPLICANT(S) FOR DO/EO/US

Bruno MEHUL; Dominique BERNARD and Lucie SIMONETTI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:



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21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY	
Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,040.00 (960) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 (970) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 (958) International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 (956) International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 (962) <div style="text-align: right; margin-top: 10px;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				<div style="text-align: right; margin-top: 10px;">\$ 0.00</div>		
Surcharge of \$130.00 (154) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). 20 <input type="checkbox"/> 30 <input checked="" type="checkbox"/>						
Claims	Number Filed	Number Extra	Rate			
Total Claims	32 -20 =	12	X\$18.00 (966)			
Independent Claims	5 -3 =	2	X\$84.00 (964)	\$ 168.00		
Multiple dependent claim(s) (if applicable)			+ \$280.00 (968)	\$		
TOTAL OF ABOVE CALCULATIONS =				\$ 384.00		
Reduction for 1/2 for filing by small entity, if applicable (see below). +				\$		
SUBTOTAL =				\$ 514.00		
Processing fee of \$130.00 (156) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(h)). 20 <input type="checkbox"/> 30 <input checked="" type="checkbox"/> +				\$ 130.00		
TOTAL NATIONAL FEE =				\$		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (581) per property +				\$		
TOTAL FEES ENCLOSED =				\$ 644.00		
				Amount to be refunded:	\$	
				charged:	\$	

- a. ☐ Small entity status is hereby claimed.
- b. ☒ A check in the amount of \$ 644.00 to cover the above fees is enclosed.
- c. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- d. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.
- NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Norman H. Stepano, Esq.
 BURNS, DOANE, SWECKER & MATHIS, L.L.P.
 P.O. Box 1404
 Alexandria, Virginia 22313-1404
 (703) 836-6620

SIGNATURE

TERESA STANEK REA

NAME

30,427

REGISTRATION NUMBER

APRIL 16, 2002

DATE



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,403	Bruno Mehul	016800-473

INTERNATIONAL APPLICATION NO.

PCT/FR00/01048

I.A. FILING DATE

PRIORITY DATE

04/20/2000

07/23/1999

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 BURNS DOANE SWECKER & MATHIS L L P
 POST OFFICE BOX 1404
 ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 2080

371 FORMALITIES LETTER



OC000000007707614

Date Mailed: 03/27/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

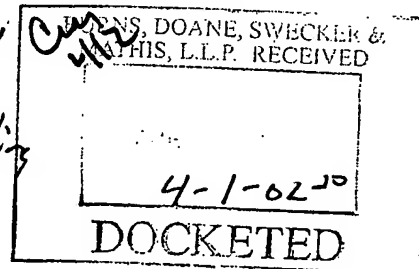
- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Request for Immediate Examination

*English translation,
Declaration,
Sequence Listing*

Due

*5/27/02
4/18/02*

*Local
016800-473
NHS/TSR*



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR

APR 3 2002

THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - **APPLICANT MUST PROVIDE:**
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,403	PCT/FR00/01048	016800-473

VERIFICATION OF TRANSLATION

I, Melissa Stanford, a translator with Chillson Translating Service, 3530 Chas Drive, Hampstead, Maryland, 21074, hereby declare as follows:

That I am familiar with the French and English languages;

That I am capable of translating from French to English;

That the translation attached hereto is a true and accurate translation of French Application PCT/FR00/01048 titled, "Isolated Polypeptide of the Stratum Corneum and Its Use;"

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true;

And further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

By Melissa Stanford

Executed this 12 day of Feb 2002.

Witness Anne Chillson

Translator's Notes:

On French page 15, line 37, the word "bentones" appears as an example of a modified clay. "Bentones" could not be found in available sources, and this term could be a typographical error for "betones," which means "concretes." The term "bentones" was, however, left as is in the translation (English page 22, line 14).

On French page 18, line 24, the terms "pottérisé" and "repotterisé" appear. These terms could not be found in available sources and thus were anglicized to "potterized" and "repotterized" respectively (English page 26, lines 7 and 6 from the bottom).

- (12) INTERNATIONAL APPLICATION PUBLISHED ACCORDING TO THE PATENT COOPERATION TREATY (PCT)
- (19) World Intellectual Property Organization
International Office
- (43) International publication date
February 1, 2001 (2/1/2001) PCT
- (10) International publication number
WO 01/07604 A1
- (51) International patent classification⁷: C12N 15/12, C07K
14/47, 16/18, A61K 38/17, 48/00
- (21) International application number: PCT/FR00/01048
- (22) International filing date: April 20, 2000 (4/20/2000)
- (25) Filing language: French
- (26) Publication language: French
- (30) Priority data:
99/09615 July 23, 1999 (7/23/1999) FR
- (71) Applicant (for all designated countries except for the U.S.): L'OREAL [FR/FR]; 14, rue Royale, F-75008 Paris (FR).
- (72) Inventors; and
- (75) Inventors/applicants (only for the U.S.):
MEHUL, Bruno [FR/FR]; 2, place de la Fontaine, F-92800 Villejuif (FR). BERNARD, Dominique [FR/FR]; 48, rue Paul Barruel, F-75015 Paris (FR). SIMONETTI, Lucie [FR/FR]; 14, rue Breguet, F-75011 Paris (FR).
- (74) Agent: GALUP, Cédric; L'Oréal/D.P.I., 6, rue Bertrand Sincholle, F-92585 Clichy Cedex (FR).

- (81) Designated countries (National): AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.
- (84) Designated countries (Regional): ARIPO Patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian Patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European Patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI Patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

Published:

-- With international search report.

As regards the two-letter codes and the other abbreviations, refer to the "Guidance Notes Relative to Codes and Abbreviations" that appear at the beginning of each regular issue of the PCT Gazette.

(54) **Title:** ISOLATED POLYPEPTIDE OF THE STRATUM CORNEUM AND ITS USE

(57) **Abstract:** The invention has as its object an isolated polypeptide from the family of the calcium-fixing proteins, a

mixture of polypeptides obtained from the proteolysis of the isolated polypeptide, compositions that contain them, the uses of said polypeptide and a cosmetic treatment process that is intended to treat dry skin, hyperkeratosis, parakeratosis, psoriasis, ichthyosis, and neoplasias. The invention also has as its object a deoxyribonucleic acid sequence that codes for said polypeptide and the uses of said deoxyribonucleic acid sequence.